

State ID No. 79-02-36-200-009.000-023  
Tax Key No. 134-08400-0391

**TEMPORARY EASEMENT**

THIS INDENTURE WITNESSETH, that City of West Lafayette, Indiana, an Indiana municipal corporation, (hereinafter called Grantor) of Tippecanoe County, State of Indiana, GRANTS AND CONVEYS to American Suburban Utilities, Inc., an Indiana Corporation, hereinafter referred to as "Grantee", for one dollar and other valuable consideration, the receipt of which is hereby acknowledged, a temporary easement over and across the real estate described in Exhibit "A", consisting of one (1) page, which is attached hereto, incorporated by reference and made a part hereof, to-wit:

(H.I.)

all of which is associated with the American Suburban Utilities Big 3 Sewer Project.

**"TEMPORARY EASEMENT"**

The easement will cease, terminate and be of no further force and effect upon completion of the above designated project. American Suburban Utilities, Inc., its agents, servants and employees, shall have the right and authority to enter at all times upon said premises for the purpose of performing the heretofore described matter. American Suburban Utilities, Inc., agrees that it will promptly restore said premises as near to the original condition as possible after both the installation and any subsequent maintenance and repair of the same.

This agreement shall inure to and be binding upon the parties hereto, their agents and successors and/or assigns.

Grantor herein certifies under oath that no Indiana Gross Tax is due and payable in respect to the transfer made by this easement. The undersigned persons executing this easement on behalf of grantor represent and certify that they are the duly elected officers of the Grantor and have been fully empowered by Grantor to execute and deliver this easement, that Grantor has full capacity to convey the real estate hereby conveyed, and that all necessary action for making of such conveyance has been taken and done.

IN WITNESS WHEREOF, Grantor has executed this Temporary Easement the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

APPROVED:

DATE: \_\_\_\_\_

CITY OF WEST LAFAYETTE  
BOARD OF PUBLIC WORKS AND SAFETY

\_\_\_\_\_  
John R. Dennis, Mayor

\_\_\_\_\_  
Sana G. Booker, Member

\_\_\_\_\_  
Shawn R. Little, Member

\_\_\_\_\_  
Bradley W. Marley, Member

\_\_\_\_\_  
Jonathan C. Speaker, Member

Attest:

\_\_\_\_\_  
Clerk-Treasurer Judith C. Rhodes

GRANTEE'S ADDRESS: 3350 W. 250 N., West Lafayette, Indiana 47906

I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. /s/ Scott Lods

This instrument prepared by: American Suburban Utilities, Inc., 3350 W. 250 N., West Lafayette, IN 47906, (765) 463-3856.

### Legal Description of Temporary Easement

LEGAL DESCRIPTION – City of West Lafayette (Document No. 91-13870; Key No. 134-08400-0391 (79-02-36-200-009.000-023))

Construction Easement

An easement for sanitary sewer facilities in the Northeast Quarter of Section 36, Township 24 North, Range 5 West, Wabash Township, Tippecanoe County, Indiana, said easement being more completely described as follows, to-wit:

Commencing at the northeast corner of Section 36-24-5 marked by a Berntsen A1NB aluminum monument; thence along the north line of the northeast quarter of said section, North 89°42'37" West, 1979.88 feet to a corner (near the intersection of County Roads 140 West and 500 North) of the Schroeder Land Trust property as described in Document No. 96-15666 in the Tippecanoe County Recorder's Office; thence along the east line of said Schroeder Land Trust property and the east line of the City of West Lafayette property (1.47-acre tract) as described in Document No. 91-13870 in said recorder's office for the following two (2) courses: (1) South 00°20'05" East, 558.36 feet; (2) South 00°20'05" East, 40.06 feet; thence South 86°27'46" West, 11.75 feet to the west edge of gravel pavement of County Road 140 West and the point of beginning; thence along said west edge of gravel pavement, South 00°01'21" West, 63.78 feet to the south line of said City of West Lafayette property; thence along the south line of said City of West Lafayette property, North 89°44'14" West, 183.12 feet; thence North 65°38'29" East, 144.95 feet; thence North 86°27'46" East, 51.19 feet to the point of beginning, said easement containing 0.164 acres, more or less.

Approximately 0.027 acres of said easement lies within the 100-year floodplain per Flood Insurance Rate Map Number 18157C0131D dated September 25, 2009.

